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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,392	12/03/2003	Chi Lung Ngan	7319	4995

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ALEXANDRIA, VA 22314

EXAMINER

ROYAL, PAUL

ART UNIT

PAPER NUMBER

3611

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/725,392

Applicant(s)

NGAN, CHI LUNG

Examiner

Paul Royal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 February 2005.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1.5-11, 13, 16, 17, 24 and 25 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1.5-11, 13, 16, 17, 24 and 25 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 23 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

#### ***Response to Amendment***

1. The amendment filed on 02/16/05 has been entered.

#### ***Response to Arguments***

2. Applicant's arguments, with respect to the prior art Letterio have been fully considered and are persuasive.

#### ***Claim Objections***

3. Claim 10 is objected to because of the following informalities: section "e" ends with a period, however the entire claim is required to be one single sentence therefore the period at the end of section "e" is improper. Appropriate correction is required.

#### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, and 8-11, 16-17, 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snow (1,683,996) in view McIntyre (3,759,305) and Blanchard (US 4,275,517).

Snow teaches a filing container for receiving a notice or the like with a portion of the notice when positioned in a pocket chamber extending outwardly therefrom for ease removal comprising:

front (12) and back (11) panels;

the front (12) and back (11) panels each having front and back sides and upper and lower portions;

the front and back panels being substantially the same dimensions with the front panel positional over and co-extensional with the back panel and connectable thereto;

the front and back panels having bottom, left and right side edges, which when positioned coextensively, are interconnected and form a pocket chamber;

the front and back panels (11,12) are integral and joined by a fold line (15) forming the right edges of the front and back panels and adhesively securing the left edges together when the panels are positioned for forming the pocket chamber calendar;

the front panel having a slit (14, 14a) on the upper portion extendable into the pocket chamber and extending from adjacent the front panel left and right side edges and serving as an opening into the pocket chamber for a notice to be easily inserted therein when the front and back panels are interconnected;

one of the panels bottom edge having a foldable flap (16) positioned a distance forming the bottom of the pocket chamber and extending from adjacent the panels' left side edge to adjacent the panels' right side edge and substantially longer than the slit (14,14a).

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Snow does not teach the filing container front panel having a "U" shaped slit, one of the front and back panels lower portions including a glue/bonding strip stop for limiting the depth of insertion of a notice; and

for bonding together the front and back panel a distance approximating the width of a notice to be received in the pocket chamber and extending parallel to the U-shaped slit and of a length slightly less than the U-shaped slit; and

the foldable flap having a glue strip substantially the length of the foldable flap and longer than the glue strip stop to permit spacing -between the front and back panels when the blank is assembled into the pocket chamber calendar for ease of insertion of a notice into the pocket chamber.

Note, the printed matter of the indicia is not functionally related to the panels and does not distinguish the instant invention from the prior art in terms of patentability.

McIntyre teaches credit card carrying case having a "U" shaped slit (28) with upwardly extend legs creating a flap, and at least one of the panels lower portion including a notice stop/ glue/bonding strip (22), for limiting the depth of insertion of a notice/credit card to provide a flap which holds the credit cards safely within the carrying case.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the filing container of Snow to include having a "U" shaped slit with upwardly extend legs creating a flap, and at least one of the panels lower portion including a notice stop/ glue/bonding strip, for limiting the depth of insertion of a

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notice/credit card to provide a flap which holds the credit cards safely within the carrying case.

Note bonding together the front and back panel a distance approximating the width of a notice to be received in the pocket chamber and extending parallel to the U-shaped slit and of a length slightly less than the U-shaped slit is understood to require only routine skill in the art where the notice must be sized to fit to be inserted into the pocket via the U-shaped slit without slipping past the notice stop.

Blanchard teaches a photograph mount including one of the panels bottom edge having a foldable flap (70) positioned a distance beneath the glue strip stop and forming the bottom of the pocket chamber and extending from adjacent the panels' left side edge to adjacent the panels' right side edge and substantially longer than the U-shaped slit; and

the foldable flap (70) having a glue strip (80) substantially the length of the foldable flap and longer than the glue strip stop to permit spacing between the front and back panels when the blank is assembled into the pocket chamber, to provide a photograph/notice mount which is can be manufactured without special techniques.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the filing container of Snow to include the glue strip and foldable flap taught by Blanchard, to provide a photograph/notice mount which can be manufactured without special techniques.

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5. Claims 5-7 and 13 are rejected under 35 U.S.C. 103(a) as anticipated by Snow in view McIntyre and Blanchard, as applied to claims 1 and 10, as appropriate, in view of Huber (US 6,161,321).

Snow in view McIntyre and Blanchard, as applied to claims 1 and 10, teach the claimed invention except wall surface securing means such as upwardly extending tabs.

Huber teaches a posting device which includes wherein at least one of the panels has an upwardly extending tab (18) for receiving a wall hanger to allow posting of the display without damaging the wall or support.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the filing container of Snow in view McIntyre and Blanchard, as applied to claims 1 and 10, as appropriate, to include at least one of the panels having an upwardly extending tab for receiving a wall hanger, as taught by Huber, to allow posting of the display without damaging the wall or support.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goodhue teaches an album. Snow teaches a filing container. Zalkind teaches a recording system. Falcon teaches a folder. Monckton et al. teaches a folder. Meeker teaches a display. Ackerman teaches a display. Scheunmann teaches a billfold. Anderson teaches a container.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Royal whose telephone number is 571-272-6652. The examiner can normally be reached on 8:30-4:30.

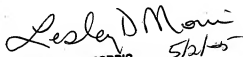
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



P. Royal  
5/2/05

Paul Royal  
Examiner  
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LESLEY D. MORRIS  
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